

CITY OF NEW YORK CONFLICTS OF INTEREST BOARD

2 Lafayette Street, Suite 1010
New York, New York 10007

(212) 442-1400

Fax: (212) 442-1407 TDD: (212) 442-1443

Steven B. Rosenfeld
Chair/Board Member

Monica Blum
Board Member

Andrew Irving
Board Member

Burton Lehman
Board Member

Erika Thomas-Yuille
Board Member

Mark Davies
Executive Director

Wayne G. Hawley
*Deputy Executive Director
& General Counsel*

Carolyn Lisa Miller
Director of Enforcement

Julia Davis
*Special Counsel &
Director of Financial
Disclosure*

Alex Kipp
*Director of Training &
Education*

Varuni Bhagwant
*Director of
Administration*

Derick Yu
*Director of Information
Technology*

**FOR IMMEDIATE RELEASE
June 11, 2012**

**CONTACT: Carolyn Lisa Miller
(212) 442-1419**

FORMER PRINCIPAL FINED \$1,000 FOR TAKING HOME A PIANO DONATED TO HIS SCHOOL

A Principal for the New York City Department of Education (“DOE”) has paid the New York City Conflicts of Interest Board (“Board”) a \$1,000 fine for violating the City of New York’s conflicts of interest law. The Principal admitted that, in July 2007, he accepted the donation of a grand piano to his school. In Spring 2009, the Principal hired a private moving company to move the piano from his school to his residence for his personal use; he did not seek permission from anyone senior to himself at DOE prior to making this move.

The Principal acknowledged that he violated the City’s conflicts of interest law by using his DOE position to take a City resource home for his personal use. In setting the \$1,000 fine, the Board took into account that, in resolution of disciplinary proceedings that were brought by DOE arising out of the same conduct, the Principal resigned from DOE in March 2010 and returned the piano.

A copy of the disposition is attached [here](#). All of the Board’s dispositions are available free of charge, in full-text searchable form, on the website for the Center for New York City Law at New York Law School (www.CityAdmin.org).

The Board took the occasion of this disposition to remind City employees that, once an item is donated to a City agency, it becomes a City resource just as if the City agency had purchased the item itself and that the item must be used for a City purpose. The Board also took the occasion of this disposition to remind City employees that the Board has the authority to enforce the City’s conflicts of interest law even when the employing agency has imposed discipline on the employee for the misconduct.

Carolyn Lisa Miller, Director of Enforcement, handled this case for the Board.

The Board gratefully acknowledges the work of its confidential investigative arm, the New York City Department of Investigation (“DOI”), DOI Commissioner Rose Gill Hearn, Special Commissioner of Investigation for the New York City School District (“SCI”) Richard J. Condon, and SCI Investigator James J. McCabe, who handled the investigation.

The Conflicts of Interest Board is the City’s ethics board and is charged with interpreting and enforcing the City’s the conflicts of interest, financial disclosure, and lobbyist gift laws. For more information about the Board, visit: <http://nyc.gov/ethics>. Anyone with questions about the law is urged to contact the Board through its website or by calling (212) 442-1400.

The Board does not comment on its dispositions, except as set forth above. For additional public information about the Board’s enforcement activities—including summaries of all prior enforcement dispositions and fines imposed—visit the Board’s website: www.nyc.gov/html/conflicts/html/units/enforcement.shtml.

THE CITY OF NEW YORK
CONFLICTS OF INTEREST BOARD

----- X
:
In the Matter of :

AMOYE NEBLETT :

Respondent. :
:
----- X

DISPOSITION

COIB Case No. 2010-015

WHEREAS, the New York City Conflicts of Interest Board (the “Board”) commenced an enforcement action pursuant to Section 2603(h)(1) of Chapter 68 of the New York City Charter (“Chapter 68”) against Amoye Neblett (“Respondent”); and

WHEREAS, the Board and Respondent wish to resolve this matter on the following terms,

IT IS HEREBY AGREED by and between the parties as follows:

1. In full satisfaction of the above-captioned matter, Respondent admits to the following:

- a. From October 14, 1983, to March 30, 2010, I was employed by the New York City Department of Education (“DOE”), most recently as the Principal assigned to the Adult Learning Program located at 3450 East Tremont Avenue, Bronx, New York. As such, during that time I was a “public servant” within the meaning of Chapter 68.
- b. In July 2007, a DOE teacher also working at the 3450 East Tremont Avenue location spoke to me about donating a Weber Grand Piano to the Adult Learning Program for use by its students. On behalf of the school, I accepted the donation; on August 2, 2007, the teacher had the piano delivered to the school. Upon its donation to and acceptance by the school, the grand piano became a City “resource” within the meaning of Chapter 68.
- c. In or around Spring 2009, I hired a private moving company to move the grand piano from the school in the Bronx to my residence in Brooklyn for my personal use. I did not seek or obtain the permission from anyone senior to me at DOE before taking the school’s grand piano to my home for my personal use.
- d. I acknowledge that, by using my DOE position to take a City resource from my school for my personal use, I violated Chapter 68, specifically City Charter §

2604(b)(2), pursuant Board Rules § 1-13(b), and City Charter § 2604(b)(3), which state respectively:

No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties. [City Charter § 2604(b)(2)]

Except as provided in subdivision (c) of this section, it shall be a violation of City Charter § 2604(b)(2) for any public servant to use City letterhead, personnel, equipment, resources, or supplies for any non-City purpose. [Board Rules § 1-13(b)]

No public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant. [City Charter § 2604(b)(3)]


2. In recognition of the foregoing, Respondent agrees to the following:
 - a. I agree to pay a fine of One Thousand Dollars (\$1,000) to the Board, by money order or by cashier, bank, or certified check, made payable to the "New York City Conflicts of Interest Board," at the time of my signing of this Disposition.
 - b. I acknowledge that, in setting the amount of this fine, the Board has taken into account that, in resolution of disciplinary proceedings that were brought against me by DOE, I entered into a Stipulation of Settlement with DOE in which I agreed to (i) resign from DOE, effective March 30, 2010; and (ii) return the piano.
 - c. I knowingly waive on my behalf and on behalf of my successors and assigns any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board in imposing the penalty which is embodied in this Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the Board, or any members or employees thereof relating to or arising out of this Disposition or the matters recited therein.
 - d. I confirm that I have entered into this Disposition freely, knowingly, and intentionally, without coercion or duress, and after having had the opportunity to be represented by an attorney of my choice; that I accept all terms and conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the Board; and that I fully understand all the terms of this Disposition.

- e. I agree that any material misstatement of the facts of this matter, including of the Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.

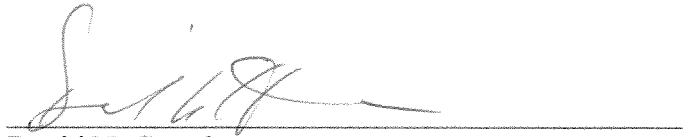
3. The Board accepts this Disposition and the terms contained herein as a final disposition of the above-captioned matter only, and affirmatively states that other than as recited herein, no further action will be taken by the Board against Respondent based upon the facts and circumstances set forth herein, except that the Board shall be entitled to take any and all actions necessary to enforce the terms of this Disposition.

4. This Disposition shall not be effective until all parties have affixed their signatures below.

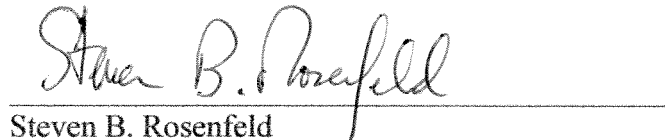
Dated: 4/19/, 2012


Amoye Neblett
Respondent

Dated: April 23, 2012


David N. Grandwetter
Council of School Supervisors & Administrators
Counsel for Respondent

Dated: MAY 30, 2012


Steven B. Rosenfeld
Chair
NYC Conflicts of Interest Board